

**IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

Plaintiff: _____

and

Defendant: _____

Civil Action File No: _____

PETITION FOR LEGITIMATION, CUSTODY AND/ OR VISITATION

The Petition of _____ respectfully shows to the Court the following facts:

1. Plaintiff shows that he is a resident of _____ County, Georgia and that he is the father of child (ren) born out of wedlock with the following names and birth dates:

<u>Full Name</u>	<u>Male/Female</u>	<u>Birth Date</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. The Defendant/Mother of said child (ren), _____ is a resident of _____ County, Georgia and is subject to the jurisdiction of this Court.

☐ a) Defendant may be personally served at her residence of _____.

OR

☐ b) The Mother has signed an Acknowledgment of Service form. Attached as Exhibit "____".

OR

☐ c) The whereabouts of the mother are unknown and she must be served by publication as is provided by law in such situations. An Affidavit of Diligent Search is attached hereto as Exhibit "____".

3. The Defendant/Mother of said child (ren),
(choose one:)

☐ has consented in writing to the legitimation of said child (ren) and to the physical and legal custody being awarded to Plaintiff. Her consent is attached hereto as Exhibit A__@.

OR

☐ has consented in writing to the legitimation of said child(ren) and to visitation by the Plaintiff.

OR

☐ is deceased, having died on. A copy of her death certificate is attached hereto as Exhibit A__@.

OR

☐ There is no other legal parent of this child(ren), and the child(ren) has/have no legal guardian.

4. _____ Plaintiff desires that the surname of said child(ren) be changed to _____, that

said child(ren)'s name(s) be changed on the birth record of the child(ren), and that Plaintiff's name be entered as father on the birth record of the child(ren). Plaintiff further requests that the Department of Vital Statistics be ordered and directed to amend the birth records of said child(ren) and to reissue a birth certificate showing Plaintiff, _____ as father and changing the child(ren)'s last name(s) to Plaintiff's last name: _____.

5. _____ Plaintiff shows that he has had physical custody of the minor child(ren) since (fill in the date) _____. The child(ren) came to live with him because _____

_____. Plaintiff is a fit and proper person to have legal custody of the minor children. It is in the best interest of the minor children to have their legal custody placed with Plaintiff. Plaintiff is entitled to the physical and legal custody of said child(ren).

6. _____ In the alternative, Plaintiff shows that it is in the best interest of the minor children that he be awarded visitation with them.

7. _____ Plaintiff requests that the issue of child support be considered and decided by this Court.

WHEREFORE, Plaintiff prays:

- a) That the Court enter an Order legitimating the child(ren) named in the Petition, causing the surname(s) of said child(ren) to be changed to _____, and that the records of birth of said child(ren) be changed to show the name of the father as Plaintiff, to wit, _____, so henceforth said child(ren) will be the recognized and legitimate child(ren) of the Plaintiff;
- b) That Plaintiff be granted legal and physical custody of the child(ren); and
- c) In the alternative, that Plaintiff be granted visitation with the minor children;
- d) That the issue of child support be determined by this Court;
- e) That a Rule Nisi issue directing the Defendant to show cause why Plaintiff's prayers should not be granted;
- f) ☐ That Defendant be served with a copy of this Petition and Court Order

OR

- ☐ Mother/Defendant has signed an Acknowledgment of Service.
- g) That Plaintiff be granted such other and further relief as the Court deems proper.

This the _____ day of _____, _____.
[date] [month] [year]

(Sign your name here) Pro Se
Plaintiff=s name (print or type): _____

Plaintiff=s address: _____

Plaintiff=s telephone number: () _____